



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

Office of Enforcement and
Compliance Assurance

MEMORANDUM

SUBJECT: Request for Certificate of Divestiture

FROM: Shari T. Wilson
Deputy Assistant Administrator

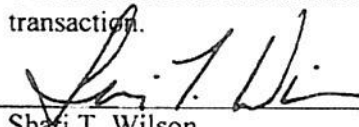
TO: Kevin Minoli
Principal Deputy General Counsel and
Designated Agency Ethics Official

Please request, on my behalf, a certificate of divestiture from the Office of Government Ethics (OGE) pursuant to section 1043 of the Internal Revenue Code, with respect the following:

2700 shares of Paccar
2000 shares of Texas Instruments

The EPA Ethics Office notified me on July 30, 2014 of the final list of stocks I needed to divest of in order to remove any conflicts of interest. I have not worked on any particular matters and have recused myself from working on any particular matters that would directly and predictably affect the financial interests of these companies. Upon notification of the issuance or denial of these certificates from OGE, I will divest these interests.

I understand that such divestiture proceeds must be reinvested in "permitted property," as defined at 5 C.F.R. 2634.1003, during the 60-day period beginning on the date of the sale of the shares in order to take advantage of the non recognition of capital gains from my divestiture transaction.


Shari T. Wilson

8/26/14
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

OFFICE OF
GENERAL COUNSEL

The Honorable Walter M. Shaub, Jr.
Director
Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3917

RE: Certificate of Divestiture Request for Shari T. Wilson

Dear Mr. Shaub:

On behalf of the United States Environmental Protection Agency (EPA), I am writing to formally request a certificate of divestiture (CD) on behalf of Shari T. Wilson, a noncareer SES employee at EPA Headquarters. Ms. Wilson is the Deputy Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance.

Ms. Wilson's office will soon be working on issues involving semi-conductors and truck manufacturing. These issues are of importance to the Agency and while Ms. Wilson's office is not currently working on these matters currently, her office will be involved in the foreseeable future and anticipates needing Ms. Wilson to participate. Therefore, the EPA Ethics Office has directed her to divest these assets because recusal would disqualify her from matters so central and critical to the performance of her official duties that her ability to perform the duties of her position would be materially impaired.

Enclosed in this request are the following documents:

- 1) A request for a certificate of divestiture;
- 2) The employee's request for a certificate of divestiture; and
- 3) The employee's public financial disclosure form.

If you have any further questions regarding this request, please feel free to contact Dan Fort at (202) 564-2200 or by email at fort.daniel@epa.gov.


Sincerely,

A handwritten signature in dark ink, appearing to read "KSE", is written over a horizontal line.

Kevin Minoli
Principal Deputy General Counsel and
Designated Agency Ethics Official

Enclosures

REQUEST FOR A CERTIFICATE OF DIVESTITURE
(to be completed by the agency, not by the requesting employee)

requesting employee and position title: Shari T. Wilson, Deputy Assistant Administrator Office of Enforcement and Compliance Assurance	employing agency and component: U.S. Environmental Protection Agency
agency point of contact: Daniel Fort - fort.daniel@epa.gov	telephone number for agency point of contact: (202) 564-2200
signature of Designated Agency Ethics Official: 	date: 8/25/14

For complete instructions on requesting a Certificate of Divestiture, please review 5 C.F.R. part 2634, subpart J.

1. Provide the requested information about the property being divested and the owner(s) of that property. Indicate whether each property owner is one of the following: (a) a government employee; (b) a spouse, a minor child or a dependent child of a government employee; or (c) a trustee of a trust for the benefit of an eligible person. For stock, provide the number of shares of stock owned. For a partnership, provide the percentage of the partnership owned.

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
McDonald's Corp. Play Toys, LP	57 shares 12.24% interest	John A. Jones	self
General Electric, Co.	251 shares	John A. Jones (joint) Mary B. Jones	self spouse
The Home Depot, Inc.	165 shares	Mary B. Jones	spouse
Merck & Co., Inc.	33 shares	William C. Smith	trustee
Coca-Cola, Co.	55 shares	John A. Jones (as custodian) Robert D. Jones	self dependent child

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
Paccar	2700 shares	Shari T. Wilson	Self
Texas Instruments	2000 shares	Shari T. Wilson	Self

If you need additional space to accommodate your responses please click here for a continuation page

2. Provide a brief description of the employee's position or provide a citation to a statute that establishes the duties of the position. (Please click here for a continuation page for response if needed.)

See continuation page.

3. Provide a detailed explanation of the basis for your conclusion that divestiture is reasonably necessary to comply with Federal ethics rules (including an indication as to the date on which the requirement to divest first applied). (Please click here for a continuation page for response if needed.)

This office will be the lead office for enforcement and compliance issues dealing the semiconductor and truck manufacturers. Since her area of responsibility includes these areas, it is necessary to divest of companies involved in the sectors.

4. Indicate how the property was acquired (e.g., purchase prior to appointment, inheritance after appointment, gift prior to appointment, etc.). If various items of property were acquired in different ways, be specific about how the various items were acquired (e.g., "Except for the Microsoft stock, the employee purchased all of the property before beginning government service in July 2001. The employee's spouse inherited the Microsoft Stock earlier this month on September 3, 2007."). (Please click here for a continuation page for response if needed.)

All property was purchased prior to the employee's employment with EPA.

5. Please address all items below:

a. Have you enclosed a written request from the employee that contains an unconditional statement that the property owner(s) will divest the property? No ☐ Yes ☒

b. Have you enclosed the employee's most recent financial disclosure report or the equivalent? No ☐ Yes ☒

c. Is any other financial interest of the employee "similar or related" to the property being divested? No ☐ Yes ☒

d. Is any of the property held in a tax-deferred retirement plan? *Indicate which property is held in the plan in your response to Item 6.* No ☒ Yes ☐

e. Was any of the property acquired through an employee benefit plan (e.g., stock options, restricted stock, etc.)? *Indicate which property was acquired in this manner and the type of employee benefit plan in your response to Item 6.* No ☒ Yes ☐

f. If any of the property is held in a trust, have you enclosed the trust agreement? N/A ☒ No ☐ Yes ☐
Indicate which property is held in a trust in your response to Item 6.

6. Provide any additional information that you would like OGE to consider when processing the request. (Use this space to address the timing of the request, if it is submitted after the deadline for divestiture.) (Please click here for a continuation page for response if needed.)

7. Print this document and submit the signed original with all enclosures to the following address: Director, U.S. Office of Government Ethics, 1201 New York Avenue, NW, Suite 500, Washington, DC 20005-3917.

Print

Reset

**Office of Enforcement and Compliance Assurance
Deputy Assistant Administrator**

I. Introduction

The Deputy Assistant Administrator (DAA) for the Office of Enforcement and Compliance Assurance (OECA) serves as an adviser to the Assistant Administrator in all matters concerning enforcement and compliance; and provides the consultation and review of enforcement and compliance activities for air, water, waste, pesticides, toxics, and radiation. The DAA is the deputy to the Assistant Administrator, providing assistance on all facets of the Agency's enforcement and compliance activities and acting with the full authority of the Assistant Administrator whenever he/she is unavailable. The DAA provides assistance to the Assistant Administrator in the review of efforts of each Assistant and Regional Administrator to assure that EPA develops and conducts a strong and consistent enforcement and compliance assurance program.

OECA manages a national criminal enforcement, forensic and training program. OECA also manages the Agency's regulatory, site remediation and federal enforcement and compliance assurance programs, as well as the Agency's environmental justice program and federal activities program responsibilities under the National Environmental Policy Act. Incumbent interacts regularly, on the Assistant Administrator's behalf, with high-level officials within EPA, in other federal and State agency, the Congress and the private sector.

II. Major Duties and Responsibilities

1. Serves as a Special Advisor to the Assistant Administrator (AA), providing advice and analysis in the form of detailed analyses, option papers, briefings, or other such means as necessary to acquaint the AA with highly sensitive issues, problems, or policies.

2. Provides personal and confidential assistance to the AA in long-term planning, formulation, implementation, and coordination of OECA programs. Performs special studies and prepares reports and position papers on urgent and sensitive matters of particular concern or interest to the AA.

Keeps abreast of important developments affecting OECA policies and operations, and presents background information and personal viewpoints and advice to the AA. Reviews the AA's release and advance copies of other materials, to determine consistency with announced

policies and to detect and forewarn as to possible unfavorable political and/or public reactions or criticism.

3. Serves as a liaison for the AA in meetings with members of Congress, industry, public interest groups, State/local government, and private sector groups generally. Provides continuing liaison for the AA with private sector groups, congressional committees, and the Whitehouse and acts to ensure that all clearly understand particular viewpoints, needs, and concerns and that conflicting views or controversial issues are resolved or synthesized. And, as assigned, provides continuing liaison for the AA with Regional Administrators.

4. Develops briefing materials and assists in briefing managers who will testify before Congressional committees.

III. Supervisory Controls

Incumbent reports directly to the Assistant Administrator for Enforcement and Compliance Assurance and is expected to work with utmost independence. Performance is judged primarily on the basis of methodology employed and results achieved. By virtue of professional stature and experience, recommendations and findings are considered authoritative.

IV. Qualifications

An LLB or JD degree from an accredited institution. Position calls for an attorney familiar with government operations, and with extensive experience in dealing with the highest levels of the government, the Congress, major corporations and public interest groups.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

SEP 30 2014

Kevin Minoli
Principal Deputy General Counsel and
Designated Agency Ethics Official
Environmental Protection Agency
Washington, DC 20460

Dear Mr. Minoli:

In response to your request of August 28, 2014, enclosed is Certificate of Divestiture OGE-2014-099 for Shari T. Wilson, Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance, Environmental Protection Agency. Please forward the original certificate to Ms. Wilson. Also enclosed is a copy of the certificate for your files.

If there are any questions, you may contact Leigh Francis, Assistant Counsel, at 202-482-9313.

Sincerely,

A handwritten signature in cursive script, appearing to read "David J. Apol", is written over a horizontal line.

David J. Apol
General Counsel

Enclosures



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

CERTIFICATE OF DIVESTITURE

Certificate No. OGE-2014-099

ELIGIBLE PERSON: Shari T. Wilson
Environmental Protection Agency

DATE OF ISSUANCE: **SEP 30 2014**

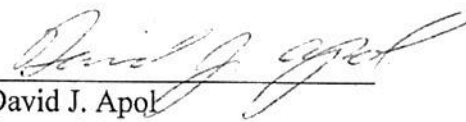
DIVESTITURE PROPERTY:

2700 shares, Paccar Inc.
2000 shares, Texas Instruments Inc.

This Certificate of Divestiture is issued in accordance with section 1043 of the Internal Revenue Code of 1986 and 5 C.F.R. § 2634.1002 with respect to the specific property described above. I hereby determine that the divestiture of the described property is reasonably necessary to comply with 18 U.S.C. § 208, or other applicable Federal conflict of interest statutes, regulations, rules, or executive orders.

Note that section 1043 of the Internal Revenue Code and the rules of subpart J of 5 C.F.R. Part 2634 provide for nonrecognition of gain in the case of sales to comply with conflict of interest requirements. The rules of Subpart J relate to the issuance of Certificates of Divestiture and the permitted property into which a reinvestment must be made during the 60-day period beginning on the date of such a sale in order for nonrecognition to be permitted. Such reinvestments are called rollovers, and are limited to obligations of the United States and diversified investment funds as defined in 5 C.F.R. § 2634.1003. The substantive and procedural rules relating to the tax aspects of such sales and rollovers pursuant to the statutory scheme are subject to the jurisdiction of the Internal Revenue Service.

Eligible persons should seek the advice of their personal tax advisors for guidance as to the tax aspects of divestiture transactions and whether proposed acquisitions meet the requirements for permitted property. Internal Revenue Service regulations and other guidance should be consulted as to these matters. Internal Revenue Service requirements for reporting dispositions of property and making an election not to recognize gain under section 1043 (IRS Form 8824) must be followed by eligible persons wishing to make such an election.


David J. Apol
General Counsel

cc: DAEO, Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

Office of Environmental
Information

MEMORANDUM

SUBJECT: Request for Certificate of Divestiture

FROM: Ann E. Dunkin
Senior Advisor to the Administrator

TO: Kevin Minoli
Principal Deputy General Counsel and
Designated Agency Ethics Official

Please request, on my behalf, a certificate of divestiture from the Office of Government Ethics (OGE) pursuant to section 1043 of the Internal Revenue Code, with respect the following:

1300 shares of Apple Inc.

The EPA Ethics Office notified me on August 11, 2014 of the final list of stocks I needed to divest of in order to remove any conflicts of interest. I have not worked on any particular matters and have recused myself from working on any particular matters that would directly and predictably affect the financial interests of these companies. Upon notification of the issuance or denial of these certificates from OGE, I will divest these interests.

I understand that such divestiture proceeds must be reinvested in "permitted property," as defined at 5 C.F.R. 2634.1003, during the 60-day period beginning on the date of the sale of the shares in order to take advantage of the non recognition of capital gains from my divestiture transaction.

A handwritten signature of Ann E. Dunkin.

Ann E. Dunkin

8.26.14

Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

OFFICE OF
GENERAL COUNSEL

The Honorable Walter M. Shaub, Jr.
Director
Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3917

RE: Certificate of Divestiture Request for Ann Dunkin

Dear Mr. Shaub:

On behalf of the United States Environmental Protection Agency (EPA), I am writing to formally request a certificate of divestiture (CD) on behalf of Ann Dunkin, a noncareer employee in an Administratively Determined (AD) position at EPA Headquarters. Ms. Dunkin is a senior advisor to EPA's Administrator.

Ms. Dunkin's duties will include working on issues involving computer equipment vendors supplying EPA. The EPA Ethics Office has directed her to divest these assets because recusal would disqualify her from matters so central and critical to the performance of her official duties that her ability to perform the duties of her position would be materially impaired.

Enclosed in this request are the following documents:

- 1) A request for a certificate of divestiture;
- 2) The employee's request for a certificate of divestiture; and
- 3) The employee's public financial disclosure form.

If you have any further questions regarding this request, please feel free to contact Dan Fort at (202) 564-2200 or by email at fort.daniel@epa.gov.

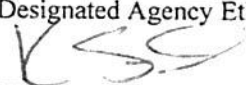
Sincerely,

A handwritten signature in black ink, appearing to read "K Minoli".

Kevin Minoli
Principal Deputy General Counsel and
Designated Agency Ethics Official

Enclosures

REQUEST FOR A CERTIFICATE OF DIVESTITURE
(to be completed by the agency, not by the requesting employee)

requesting employee and position title: Ann E. Dunkin, Senior Advisor to the Administrator Office of the Administrator	employing agency and component: U.S. Environmental Protection Agency
agency point of contact: Daniel Fort - fort.daniel@epa.gov	telephone number for agency point of contact: (202) 564-2200
signature of Designated Agency Ethics Official: 	date: 8/28/14

For complete instructions on requesting a Certificate of Divestiture, please review 5 C.F.R. part 2634, subpart J.

1. Provide the requested information about the property being divested and the owner(s) of that property. Indicate whether each property owner is one of the following: (a) a government employee; (b) a spouse, a minor child or a dependent child of a government employee; or (c) a trustee of a trust for the benefit of an eligible person. For stock, provide the number of shares of stock owned. For a partnership, provide the percentage of the partnership owned.

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
McDonald's Corp. Play Toys, LP	57 shares 12.24% interest	John A. Jones	self
General Electric, Co.	251 shares	John A. Jones (joint) Mary B. Jones	self spouse
The Home Depot, Inc.	165 shares	Mary B. Jones	spouse
Merck & Co., Inc.	33 shares	William C. Smith	trustee
Coca-Cola, Co.	55 shares	John A. Jones (as custodian) Robert D. Jones	self dependent child

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
Apple Inc.	1300 shares	Ann E. Dunkin	Self
If you need additional space to accommodate your responses please click here for a continuation page			

2. Provide a brief description of the employee's position or provide a citation to a statute that establishes the duties of the position. (Please click here for a continuation page for response if needed.)

See continuation page.

3. Provide a detailed explanation of the basis for your conclusion that divestiture is reasonably necessary to comply with Federal ethics rules (including an indication as to the date on which the requirement to divest first applied). (Please click [here](#) for a continuation page for response if needed.)

The employee will be working on areas concerning the acquisition and maintenance of computer equipment for the Agency as well as other issues concerning EPA data infrastructure. EPA currently uses products produced by Apple and Hewlett-Packard.

4. Indicate how the property was acquired (e.g., purchase prior to appointment, inheritance after appointment, gift prior to appointment, etc.). If various items of property were acquired in different ways, be specific about how the various items were acquired (e.g., "Except for the Microsoft stock, the employee purchased all of the property before beginning government service in July 2001. The employee's spouse inherited the Microsoft Stock earlier this month on September 3, 2007."). (Please click [here](#) for a continuation page for response if needed.)

All property was purchased prior to the employee's employment with EPA.

5. Please address all items below:

a. Have you enclosed a written request from the employee that contains an unconditional statement that the property owner(s) will divest the property? No ☐ Yes ☒

b. Have you enclosed the employee's most recent financial disclosure report or the equivalent? No ☐ Yes ☒

c. Is any other financial interest of the employee "similar or related" to the property being divested? No ☐ Yes ☒

d. Is any of the property held in a tax-deferred retirement plan? *Indicate which property is held in the plan in your response to Item 6.* No ☒ Yes ☐

e. Was any of the property acquired through an employee benefit plan (e.g., stock options, restricted stock, etc.)? *Indicate which property was acquired in this manner and the type of employee benefit plan in your response to Item 6.* No ☒ Yes ☐

f. If any of the property is held in a trust, have you enclosed the trust agreement? N/A ☒ No ☐ Yes ☐
Indicate which property is held in a trust in your response to Item 6.

6. Provide any additional information that you would like OGE to consider when processing the request. (Use this space to address the timing of the request, if it is submitted after the deadline for divestiture.) (Please click [here](#) for a continuation page for response if needed.)

Filer will divest of stock in Hewlett-Packard, but is not seeking a certificate of divestiture for these shares. After divestiture, the filer will retain 100 shares of Apple stock with a value of about \$10,000.

7. Print this document and submit the signed original with all enclosures to the following address:
Director, U.S. Office of Government Ethics, 1201 New York Avenue, NW, Suite 500, Washington, DC 20005-3917.

Print

Reset

REQUEST FOR A CERTIFICATE OF DIVESTITURE
Continuation Page for Responses to Question 2

2. Provide a brief description of the employee's position or provide a citation to a statute that establishes the duties of the position.

Incumbent serves as a Senior Advisor to the Administrator in the Office of the Administrator, Immediate Office.

In this capacity, the incumbent provides advice and recommendations on Agency-wide organizational structures, business or operating procedures and work processes. The incumbent maintains a continuous awareness of major national process related issues impacting the Agency, including but not limited to the application of information technology, policy and practices; performs, analyses and identifies opportunities for shifts in structures, procedures and processes to better meet the changing needs of the Agency and constituents; makes recommendations on innovative and performance-based approaches to aligning processes with corresponding technologies and on organizational efficiencies, as well as, outreach opportunities to EPA internal and external stakeholders impacted by process issues. As requested, the incumbent will attend meetings, conferences, and other such events as an authoritative representative of the Agency to ensure the Administrator's points of view, goals, and philosophy are clearly communicated and factored into all decision-making activities. Outcomes are expected to create immediate results and have long-term impact.

Print

Reset



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

SEP 26 2014


Kevin Minoli
Principal Deputy General Counsel and Designated
Agency Ethics Official
Environmental Protection Agency
Washington, DC 20460

Dear Ms. Mallory:

In response to your request of received on September 5, 2014, enclosed is Certificate of Divestiture OGE-2014-094 for Ann E. Dunkin, Senior Advisor to the Administrator, Office of the Administrator, Environmental Protection Agency. Please forward the original certificate to Ms. Dunkin. Also enclosed is a copy of the certificate for your files.

If there are any questions, you may contact Stephanie Nonluecha, Program Analyst, at 202-482-9243.

Sincerely,



David J. Apol
General Counsel

Enclosures



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

CERTIFICATE OF DIVESTITURE

Certificate No. OGE-2014-094

ELIGIBLE PERSON: Ann E. Dunkin
Environmental Protection Agency

DATE OF ISSUANCE: SEP 26 2014

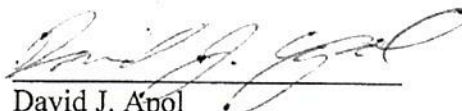
DIVESTITURE PROPERTY:

1300 shares, Apple Inc.

This Certificate of Divestiture is issued in accordance with section 1043 of the Internal Revenue Code of 1986 and 5 C.F.R. § 2634.1002 with respect to the specific property described above. I hereby determine that the divestiture of the described property is reasonably necessary to comply with 18 U.S.C. § 208, or other applicable Federal conflict of interest statutes, regulations, rules, or executive orders.

Note that section 1043 of the Internal Revenue Code and the rules of subpart J of 5 C.F.R. Part 2634 provide for nonrecognition of gain in the case of sales to comply with conflict of interest requirements. The rules of Subpart J relate to the issuance of Certificates of Divestiture and the permitted property into which a reinvestment must be made during the 60-day period beginning on the date of such a sale in order for nonrecognition to be permitted. Such reinvestments are called rollovers, and are limited to obligations of the United States and diversified investment funds as defined in 5 C.F.R. § 2634.1003. The substantive and procedural rules relating to the tax aspects of such sales and rollovers pursuant to the statutory scheme are subject to the jurisdiction of the Internal Revenue Service.

Eligible persons should seek the advice of their personal tax advisors for guidance as to the tax aspects of divestiture transactions and whether proposed acquisitions meet the requirements for permitted property. Internal Revenue Service regulations and other guidance should be consulted as to these matters. Internal Revenue Service requirements for reporting dispositions of property and making an election not to recognize gain under section 1043 (IRS Form 8824) must be followed by eligible persons wishing to make such an election.


David J. Apol
General Counsel

cc: DAEO, Environmental Protection Agency

Fugh, Justina

From: Fugh, Justina
Sent: Thursday, April 18, 2013 4:52 PM
To: Belke, Jim
Cc: Stanton, Larry
Subject: FW: Certificate of Divestiture OGE -2013-017 for James C. Belke
Attachments: James C. Belke CD 017.pdf

Importance: High

Hi there,

Your request for a certificate of divestiture has been approved! Hard copy is on its way to me, but I'm not sure when I will receive it (since tomorrow is Friday and I'm on furlough on Monday). When I get it, I will forward it to you. In the meantime, I'm sending you this pdf so you know you can now move ahead with the sale.

Cheers,
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 Ariel Rios North
| Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | cell 202-731-3631 | fax
202-564-1772



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

MAR 29 2013

OFFICE OF
GENERAL COUNSEL

The Honorable Walter M. Shaub, Jr.
Director
U.S. Office of Government Ethics
1201 New York Avenue, NW #500
Washington, DC 20005-3917

Dear Mr. Shaub:

On behalf of the United States Environmental Protection Agency (EPA), I am writing to formally request a certificate of divestiture (CD) on behalf of James C. Belke, a GS-15 chemical engineer in the Office of Emergency Management in EPA's Office of Solid Waste and Emergency Response. Mr. Belke is the Agency's national coordinator for implementation of risk management policies and, in this position, participates in regulation and oversight of oil and gas sector companies.

Mr. Belke owns stock in an oil and gas company that is currently worth approximately \$24,000, thus approaching the regulatory exemption level for matters of general applicability as set forth at 5 C.F.R. § 2640.202(c). EPA believes that Mr. Belke's investment could appreciate in value but wants to ensure that he does not present a financial conflict of interest. We believe that recusal would disqualify him from matters so central and critical to the performance of his official duties that his ability to perform the duties of his position would be materially impaired. Therefore, we respectfully request that, as a prudential matter, the Office of Government Ethics grant this request for a certificate of divestiture at this time. To that end, enclosed please find the following:

- 1) A request for a certificate of divestiture;
- 2) The employee's request to the DAEO for a certificate of divestiture; and
- 3) The employee's confidential financial disclosure form.

If you have any further questions regarding this request, please feel free to contact Justina Fugh at (202) 564-1786 or by email at fugh.justina@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Mallory", written over the typed name.

Brenda J. Mallory
Acting General Counsel and
Designated Agency Ethics Official

enclosures

REQUEST FOR A CERTIFICATE OF DIVESTITURE
(to be completed by the agency, not by the requesting employee)

requesting employee and position title: James C. Belke Chemical Engineer	employing agency and component: U.S. Environmental Protection Agency Office of Solid Waste and Emergency Response Office of Emergency Management
agency point of contact: Justina Fugh, Senior Counsel for Ethics and Alternate Designated Agency Ethics Official U.S. Environmental Protection Agency	telephone number for agency point of contact: 202-564-1786
signature of Designated Agency Ethics Official: <i>Justina Fugh</i> ADTEO	
4/17/13	

The text boxes supplied below will expand to accommodate your responses. For complete instructions on requesting a Certificate of Divestiture, please review 5 C.F.R. part 2634, subpart J.

1. Provide the requested information about the property being divested and the owner(s) of that property. Indicate whether each property owner is one of the following: (a) a government employee; (b) a spouse, a minor child or a dependent child of a government employee; or (c) a trustee of a trust for the benefit of an eligible person. For stock, provide the number of shares of stock owned. For a partnership, provide the percentage of the partnership owned.

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
McDonald's Corp	57 shares	John A. Jones	self
Play Toys, LP	12.24% interest		
General Electric, Co.	251 shares	John A. Jones (joint)	self
		Mary B. Jones	spouse
The Home Depot, Inc.	165 shares	Mary B. Jones	spouse
Merek & Co., Inc.	33 shares	William C. Smith	trustee
Coca-Cola, Co.	55 shares	John A. Jones (as custodian)	self
		Robert D. Jones	dependent child

To add additional rows to this table, place the cursor in the last column of the last row and press the TAB key on your keyboard.

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
Chevron Corporation (CVX)	200 shares	James C. Belke (joint)	self
			spouse

FOIA
Exemption
6



United States
Office of Government Ethics
1201 New York Avenue, NW, Suite 500
Washington, DC 20005-3917

APR 18 2013

Brenda J. Mallory
Acting General Counsel and Designated
Agency Ethics Official
Environmental Protection Agency
Washington, DC 20460

Dear Ms. Mallory:

In response to your request of March 29, 2013, enclosed is Certificate of Divestiture OGE-2013-017 for James C. Belke, Chemical Engineer, Office of Emergency Management, Office of Solid Waste and Emergency Response, Environmental Protection Agency, and for his spouse, issued jointly. We would appreciate your forwarding the original certificate to Mr. Belke. Also enclosed is a copy of the certificate for your files.

If there are any questions, you may contact Vince Salamone, Associate General Counsel, at 202-482-9274.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Fox".

Don W. Fox
General Counsel

Enclosures

FOIA
Exemption 6



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

CERTIFICATE OF DIVESTITURE

Certificate No. OGE-2013-017

ELIGIBLE PERSON: James C. Belke

DATE OF ISSUANCE: APR 18 2013

[spouse of James C. Belke]
Environmental Protection Agency

FOIA Exemption 6

DIVESTITURE PROPERTY:

200 shares, Chevron Corporation

This Certificate of Divestiture is issued in accordance with section 1043 of the Internal Revenue Code of 1986 and 5 C.F.R. § 2634.1002 with respect to the specific property described above. I hereby determine that the divestiture of the described property is reasonably necessary to comply with 18 U.S.C. § 208, or other applicable Federal conflict of interest statutes, regulations, rules, or executive orders.

Note that section 1043 of the Internal Revenue Code and the rules of subpart J of 5 C.F.R. Part 2634 provide for nonrecognition of gain in the case of sales to comply with conflict of interest requirements. The rules of Subpart J relate to the issuance of Certificates of Divestiture and the permitted property into which a reinvestment must be made during the 60-day period beginning on the date of such a sale in order for nonrecognition to be permitted. Such reinvestments are called rollovers, and are limited to obligations of the United States and diversified investment funds as defined in 5 C.F.R. § 2634.1003. The substantive and procedural rules relating to the tax aspects of such sales and rollovers pursuant to the statutory scheme are subject to the jurisdiction of the Internal Revenue Service.

Eligible persons should seek the advice of their personal tax advisors for guidance as to the tax aspects of divestiture transactions and whether proposed acquisitions meet the requirements for permitted property. Internal Revenue Service regulations and other guidance should be consulted as to these matters. Internal Revenue Service requirements for reporting dispositions of property and making an election not to recognize gain under section 1043 (IRS Form 8824) must be followed by eligible persons wishing to make such an election.

Don W. Fox
General Counsel

cc: DAEO, EPA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 24 2013

OFFICE OF
GENERAL COUNSEL

The Honorable Walter M. Shaub, Jr.
Director
U.S. Office of Government Ethics
1201 New York Avenue, NW #500
Washington, DC 20005-3917

Dear Mr. Shaub:

On behalf of the United States Environmental Protection Agency (EPA), I am writing to formally request a certificate of divestiture (CD) on behalf of Avi S. Garbow, the General Counsel in EPA's Office of General Counsel. Pursuant to the ethics agreement Mr. Garbow signed in connection with his nomination as the General Counsel, Mr. Garbow must divest of two stock interests in order to comply with his ethics agreement. Therefore, we respectfully seek that the Office of Government Ethics grant his request for a certificate of divestiture at this time. To that end, enclosed please find the following:

- 1) A request for a certificate of divestiture;
- 2) The employee's request to the DAEO for a certificate of divestiture; and
- 3) The employee's nominee OGE Form 278 and ethics agreement.

If you have any further questions regarding this request, please feel free to contact Jennie Keith at (202) 564-3412 or by email at keith.jennie@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Brenda Mallory", is written over the typed name.

Brenda Mallory
Principal Deputy General Counsel and
Designated Agency Ethics Official

enclosures



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Request for Certificate of Divestiture

FROM: Avi. S. Garbow,
General Counsel

TO: Brenda Mallory,
Principal Deputy General Counsel and
Designated Agency Ethics Official

Please request, on my behalf, a certificate of divestiture from the Office of Government Ethics (OGE) pursuant to section 1043 of the Internal Revenue Code with respect the following:

400 common shares of Bristol Myers Squibb Company
934 common shares of Eaton Corporation

My wife and I received these stock interests as gifts prior to my confirmation as the General Counsel of the United States Environmental Protection Agency. Pursuant to my ethics agreement, I agreed to divest these stock interests within 90 days of my confirmation. My compliance expiration date is October 30, 2013 and upon notification of the issuance or denial of these certificates from OGE, I will divest these interests before my ethics agreement compliance period ends.

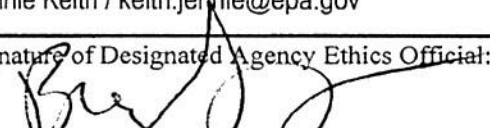
I understand that such divestiture proceeds must be reinvested in "permitted property," as defined at 5 C.F.R. 2634.1003, during the 60-day period beginning on the date of the sale of the shares in order to take advantage of the non recognition of capital gains from my divestiture transaction.



Avi S. Garbow

7/23/13
Date

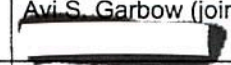
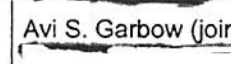
REQUEST FOR A CERTIFICATE OF DIVESTITURE
(to be completed by the agency, not by the requesting employee)

requesting employee and position title: Avi S. Garbow, General Counsel	employing agency and component: United States Environmental Protection Agency / Office of General Counsel
agency point of contact: Jennie Keith / keith.jennie@epa.gov	telephone number for agency point of contact: (202) 564-3412
signature of Designated Agency Ethics Official: 	date: 09/23/2013

For complete instructions on requesting a Certificate of Divestiture, please review 5 C.F.R. part 2634, subpart J.

1. Provide the requested information about the property being divested and the owner(s) of that property. Indicate whether each property owner is one of the following: (a) a government employee; (b) a spouse, a minor child or a dependent child of a government employee; or (c) a trustee of a trust for the benefit of an eligible person. For stock, provide the number of shares of stock owned. For a partnership, provide the percentage of the partnership owned.

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
McDonald's Corp. Play Toys, LP	57 shares 12.24% interest	John A. Jones	self
General Electric, Co.	251 shares	John A. Jones (joint) Mary B. Jones	self spouse
The Home Depot, Inc.	165 shares	Mary B. Jones	spouse
Merck & Co., Inc.	33 shares	William C. Smith	trustee
Coca-Cola, Co.	55 shares	John A. Jones (as custodian) Robert D. Jones	self dependent child

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
Eaton Corporation	934 shares	Avi S. Garbow (joint) 	self spouse
Bristol Myers Squibb Company	400 shares	Avi S. Garbow (joint) 	self spouse

FOIA
Exemption
b6

If you need additional space to accommodate your responses please click here for a continuation page

2. Provide a brief description of the employee's position or provide a citation to a statute that establishes the duties of the position. (Please click here for a continuation page for response if needed.)

See continuation page.

3. Provide a detailed explanation of the basis for your conclusion that divestiture is reasonably necessary to comply with Federal ethics rules (including an indication as to the date on which the requirement to divest first applied). (Please click here for a continuation page for response if needed.)

Mr. Garbow's ethics agreement requires him to divest of these stock interests.

4. Indicate how the property was acquired (e.g., purchase prior to appointment, inheritance after appointment, gift prior to appointment, etc.). If various items of property were acquired in different ways, be specific about how the various items were acquired (e.g., "Except for the Microsoft stock, the employee purchased all of the property before beginning government service in July 2001. The employee's spouse inherited the Microsoft Stock earlier this month on September 3, 2007."). (Please click here for a continuation page for response if needed.)

The stock interests were gifts Mr. Garbow and, _____ received prior to Mr. Garbow's confirmation as the General Counsel.

FOIA Exemption 6

5. Please address all items below:

a. Have you enclosed a written request from the employee that contains an unconditional statement that the property owner(s) will divest the property? No ☐ Yes ☒

b. Have you enclosed the employee's most recent financial disclosure report or the equivalent? No ☐ Yes ☒

c. Is any other financial interest of the employee "similar or related" to the property being divested? No ☒ Yes ☐

d. Is any of the property held in a tax-deferred retirement plan? *Indicate which property is held in the plan in your response to Item 6.* No ☒ Yes ☐

e. Was any of the property acquired through an employee benefit plan (e.g., stock options, restricted stock, etc.)? *Indicate which property was acquired in this manner and the type of employee benefit plan in your response to Item 6.* No ☒ Yes ☐

f. If any of the property is held in a trust, have you enclosed the trust agreement? N/A ☒ No ☐ Yes ☐
Indicate which property is held in a trust in your response to Item 6.

6. Provide any additional information that you would like OGE to consider when processing the request. (Use this space to address the timing of the request, if it is submitted after the deadline for divestiture.) (Please click here for a continuation page for response if needed.)

Mr. Garbow must comply with his ethics agreement by October 30, 2013 and EPA seeks from OGE the issuance of the certificates by October 11, 2013, if appropriate, so that Mr. Garbow may have sufficient time to divest these interests.

7. Print this document and submit the signed original with all enclosures to the following address: Director, U.S. Office of Government Ethics, 1201 New York Avenue, NW, Suite 500, Washington, DC 20005-3917.

Print

Reset

REQUEST FOR A CERTIFICATE OF DIVESTITURE

Continuation Page for Responses to Question 2

2. Provide a brief description of the employee's position or provide a citation to a statute that establishes the duties of the position.

The General Counsel serves as the primary legal advisor to the Administrator; provides legal service to all of the organizational elements of the Agency with respect to all programs and activities of the Agency; provides legal opinions, legal counsel, and litigation support; and assists in the formulation and administration of the Agency's policies and programs as legal advisor.

Print

Reset



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

OCT 28 2013

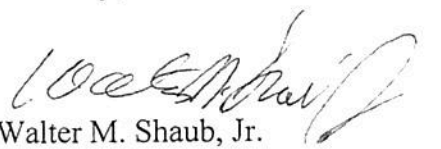
Brenda J. Mallory
Principal Deputy General Counsel and
Designated Agency Ethics Official
Environmental Protection Agency
Washington, DC 20460

Dear Ms. Mallory:

In response to your request of September 24, 2013, enclosed is Certificate of Divestiture OGE-2013-064 for Avi S. Garbow, General Counsel, Office of General Counsel, Environmental Protection Agency, and for his spouse, [REDACTED]. We would appreciate your forwarding the original certificate to Mr. Garbow. Also enclosed is a copy of the certificate for your files.

If there are any questions, you may contact Christopher Swartz, Assistant Counsel, at 202-482-9266.

Sincerely,


Walter M. Shaub, Jr.
Director

Enclosures

OIA
exemption
6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

JAN - 2 2014

OFFICE OF
GENERAL COUNSEL

The Honorable Walter M. Shaub, Jr.
Director
Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3917

RE: Certificate of Divestiture Request for David Allnutt

Dear Mr. Shaub:

On behalf of the United States Environmental Protection Agency (EPA), I am writing to formally request a certificate of divestiture (CD) on behalf of David Allnutt, a career SES employee in Region 10. Mr. Allnutt is the Director of the Office of Ecosystems, Tribal and Public Affairs.

Mr. Allnutt's office will soon be working on issues involving hydraulic fracturing. This issue is of great importance across the Agency and while Mr. Allnutt's office is not currently working on matters involving hydraulic fracturing, his office will be involved in the foreseeable future. The EPA Ethics Office has directed him to divest these assets because recusal would disqualify him from matters so central and critical to the performance of his official duties that his ability to perform the duties of his position would be materially impaired.

Enclosed in this request are the following documents:

- 1) A request for a certificate of divestiture;
- 2) The employee's request for a certificate of divestiture; and
- 3) The employee's public financial disclosure form.

If you have any further questions regarding this request, please feel free to contact Jennie Keith at (202) 564-3412 or by email at keith.jennie@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Brenda Mallory", is written over a circular stamp or seal.

Brenda Mallory
Principal Deputy General Counsel and
Designated Agency Ethics Official

Enclosures



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

MEMORANDUM

SUBJECT: Request for Certificate of Divestiture

FROM: R. David Allnutt
Director

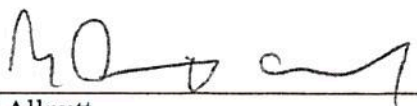
TO: Brenda Mallory
Principal Deputy General Counsel and
Designated Agency Ethics Official

Please request, on my behalf, a certificate of divestiture from the Office of Government Ethics (OGE) pursuant to section 1043 of the Internal Revenue Code with respect the following:

800 shares of Buckeye Partners L.P.
600 shares of Hess Corporation
400 shares of Kinder Morgan Energy Partners LP
500 shares of Occidental Petroleum Corporation
200 shares of Praxair
432 shares of Berkshire Hathaway Class B
947 shares of EQT Corp

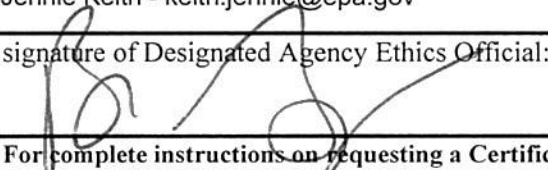
The interests belong to my spouse and she held them prior to the start of my detail assignment as the Acting Director of the Office of Ecosystems, Tribal and Public Affairs in June 2013. I became the permanent Director of this office in September 2013. The EPA Ethics Office notified me on November 8, 2013 of the final list of stocks I needed to divest of in order to remove any conflicts of interest. I have not worked on any particular matters and have since recused myself from working on any particular matters that would directly and predictably affect the financial interests of these companies. Upon notification of the issuance or denial of these certificates from OGE, I will divest these interests.

I understand that such divestiture proceeds must be reinvested in "permitted property," as defined at 5 C.F.R. 2634.1003, during the 60-day period beginning on the date of the sale of the shares in order to take advantage of the non recognition of capital gains from my divestiture transaction.


R. David Allnutt

DEC. 23 '13
Date

REQUEST FOR A CERTIFICATE OF DIVESTITURE
(to be completed by the agency, not by the requesting employee)

requesting employee and position title: R. David Allnutt, Director Office of Ecosystems, Tribal and Public Affairs	employing agency and component: U.S. Environmental Protection Agency, Region 10
agency point of contact: Jennie Keith - keith.jennie@epa.gov	telephone number for agency point of contact: (202) 564-3412
signature of Designated Agency Ethics Official: 	date: 01/02/2014

For complete instructions on requesting a Certificate of Divestiture, please review 5 C.F.R. part 2634, subpart J.

1. Provide the requested information about the property being divested and the owner(s) of that property. Indicate whether each property owner is one of the following: (a) a government employee; (b) a spouse, a minor child or a dependent child of a government employee; or (c) a trustee of a trust for the benefit of an eligible person. For stock, provide the number of shares of stock owned. For a partnership, provide the percentage of the partnership owned.

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
McDonald's Corp. Play Toys, LP	57 shares 12.24% interest	John A. Jones	self
General Electric, Co.	251 shares	John A. Jones (joint) Mary B. Jones	self spouse
The Home Depot, Inc.	165 shares	Mary B. Jones	spouse
Merck & Co., Inc.	33 shares	William C. Smith	trustee
Coca-Cola, Co.	55 shares	John A. Jones (as custodian) Robert D. Jones	self dependent child

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
Buckeye Partners L.P.	800 shares		spouse
Hess Corporation	600 shares		spouse
Kinder Morgan Energy Partners LP	400 shares		spouse
Occidental Petroleum Corporation	500 shares		spouse
Praxair	200 shares		spouse
If you need additional space to accommodate your responses please click here for a continuation page			

FOIA
Exemption
6

FOIA
Exemption
6

FOIA
Exemption
6

FOIA
Exemption
6

FOIA
Exemption
6

2. Provide a brief description of the employee's position or provide a citation to a statute that establishes the duties of the position. (Please click here for a continuation page for response if needed.)

see continuation page

3. Provide a detailed explanation of the basis for your conclusion that divestiture is reasonably necessary to comply with Federal ethics rules (including an indication as to the date on which the requirement to divest first applied). **(Please click here for a continuation page for response if needed.)**

This office will be the lead office in Region 10 addressing issues of hydraulic fracturing and since his area of responsibility includes this issue, it is necessary to divest of companies involved in the business of hydraulic fracturing.

4. Indicate how the property was acquired (e.g., purchase prior to appointment, inheritance after appointment, gift prior to appointment, etc.). If various items of property were acquired in different ways, be specific about how the various items were acquired (e.g., "Except for the Microsoft stock, the employee purchased all of the property before beginning government service in July 2001. The employee's spouse inherited the Microsoft Stock earlier this month on September 3, 2007."). **(Please click here for a continuation page for response if needed.)**

All property was purchased prior to the employee's detail assignment as the Acting Director in June 2013.

5. Please address all items below:

a. Have you enclosed a written request from the employee that contains an unconditional statement that the property owner(s) will divest the property? No ☐ Yes ☒

b. Have you enclosed the employee's most recent financial disclosure report or the equivalent? No ☐ Yes ☒

c. Is any other financial interest of the employee "similar or related" to the property being divested? No ☒ Yes ☐

d. Is any of the property held in a tax-deferred retirement plan? *Indicate which property is held in the plan in your response to Item 6.* No ☒ Yes ☐

e. Was any of the property acquired through an employee benefit plan (e.g., stock options, restricted stock, etc.)? *Indicate which property was acquired in this manner and the type of employee benefit plan in your response to Item 6.* No ☒ Yes ☐

f. If any of the property is held in a trust, have you enclosed the trust agreement? N/A ☒ No ☐ Yes ☐
Indicate which property is held in a trust in your response to Item 6.

6. Provide any additional information that you would like OGE to consider when processing the request. (Use this space to address the timing of the request, if it is submitted after the deadline for divestiture.) **(Please click here for a continuation page for response if needed.)**

7. Print this document and submit the signed original with all enclosures to the following address: **Director, U.S. Office of Government Ethics, 1201 New York Avenue, NW, Suite 500, Washington, DC 20005-3917.**

Print

Reset

REQUEST FOR A CERTIFICATE OF DIVESTITURE

Continuation Page for Responses to Question 1

1. Provide the requested information about the property being divested and the owner(s) of that property. Indicate whether each property owner is one of the following: (a) a government employee; (b) a spouse, a minor child or a dependent child of a government employee; or (c) a trustee of a trust for the benefit of an eligible person. For stock, provide the number of shares of stock owned. For a partnership, provide the percentage of the partnership owned.

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
Berkshire Hathaway Class B	432		spouse
EQT Corp	947		spouse

Print

Reset

REQUEST FOR A CERTIFICATE OF DIVESTITURE

Continuation Page for Responses to Question 2

2. Provide a brief description of the employee's position or provide a citation to a statute that establishes the duties of the position.

The incumbent directs Region 10's Office of Ecosystems, Tribal and Public Affairs to include determining program goals, priorities, and objectives; coordinating program activities with the Office and evaluating performance; assisting tribes in developing environmental programs; undertaking administrative actions and other appropriate enforcement actions needed in cases of violation of Federal statutes; coordinating activities with other Federal Agencies having responsibilities impacting the environment such as Corps of Engineers, NMFS, and FWS; reviewing environmental impact statements; and providing technical, financial, and other assistance to state, tribal, and local governments, and non-profit organizations to further environmental protection goals. The incumbent serves as the Regional Public Affairs Director responsible for the Region's congressional, media, international, and community relations, as well as public disclosure of information.

The Office implements cross-program efforts to protect the environment and engage communities. It manages wetlands enforcement; stream and wetland mitigation programs; community involvement and public affairs programs; Freedom of Information Act requests; Environmental Justice, sustainable agriculture, and environmental education activities; environmental impact statement reviews; sediment management and ocean disposal programs; and tribal programs.

The Director oversees several units within the office:

Aquatic Resources Unit - manages the wetlands program under authority of the Clean Water Act which includes monitoring disturbances to wetland areas, taking action when violations are found, and overseeing restoration projects. The Aquatic Resources Unit also monitors contaminated sediments in waterbodies.

Community Involvement and Public Information Unit - Engages the public in dialog and comment on issues relating to their local environment. Usually, the issues involve proposed or active contaminated sites covered by the Superfund program, but may involve other environmental laws. The Region 10 Public Environmental Resource Center is also included in this unit. The Resource Center is the main avenue for the public to find environmental information. They offer publications, educational material, video loans and the office switch board to route calls on environmental matters to the appropriate specialist.

Ecosystem and Community Health Unit - Several communities in the Pacific Northwest and Alaska are staffed by EPA employees whose job it is to engage the local residents in learning about their environment and engaging in better practices. The Community Liaisons specialize in programs ranging from the Food Quality Protection Act to field burning.

National Environmental Policy Act (NEPA) Review Unit - Under NEPA, federally funded projects are required to perform an assessment of the environmental impacts that may result from that project. The NEPA Review Unit evaluates those assessments and provides comments and recommendations to the responsible agencies regarding the impacts.

Tribal Trust and Assistance Unit - The United States has a unique relationship and responsibility with regard to federally recognized native tribes and Alaskan villages. As trustees to those tribes and villages the US government provides financial and technical assistance to ensure compliance with federal environmental laws. The Tribal Trust and Assistance Unit administers grants to Pacific Northwest and Alaska native tribes and villages, and maintains a relationship with each to build their capacity to manage their own environmental programs.

Print

Reset



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

CERTIFICATE OF DIVESTITURE

Certificate No. OGE-2014-027

ELIGIBLE PERSON: _____
[spouse of R. David Allnutt]
Environmental Protection Agency

DATE OF ISSUANCE: **APR 15 2014**

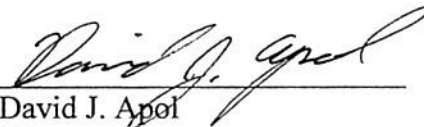
DIVESTITURE PROPERTY:

432 shares, Berkshire Hathaway Class B
947 shares, EQT Corp.

This Certificate of Divestiture is issued in accordance with section 1043 of the Internal Revenue Code of 1986 and 5 C.F.R. § 2634.1002 with respect to the specific property described above. I hereby determine that the divestiture of the described property is reasonably necessary to comply with 18 U.S.C. § 208, or other applicable Federal conflict of interest statutes, regulations, rules, or executive orders.

Note that section 1043 of the Internal Revenue Code and the rules of subpart J of 5 C.F.R. Part 2634 provide for nonrecognition of gain in the case of sales to comply with conflict of interest requirements. The rules of Subpart J relate to the issuance of Certificates of Divestiture and the permitted property into which a reinvestment must be made during the 60-day period beginning on the date of such a sale in order for nonrecognition to be permitted. Such reinvestments are called rollovers, and are limited to obligations of the United States and diversified investment funds as defined in 5 C.F.R. § 2634.1003. The substantive and procedural rules relating to the tax aspects of such sales and rollovers pursuant to the statutory scheme are subject to the jurisdiction of the Internal Revenue Service.

Eligible persons should seek the advice of their personal tax advisors for guidance as to the tax aspects of divestiture transactions and whether proposed acquisitions meet the requirements for permitted property. Internal Revenue Service regulations and other guidance should be consulted as to these matters. Internal Revenue Service requirements for reporting dispositions of property and making an election not to recognize gain under section 1043 (IRS Form 8824) must be followed by eligible persons wishing to make such an election.


David J. Apol
Director

cc: DAEO, Environmental Protection Agency

101A
Exemption 6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

JAN - 2 2014

OFFICE OF
GENERAL COUNSEL

The Honorable Walter M. Shaub, Jr.
Director
Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3917

RE: Certificate of Divestiture Request for Thomas Powers

Dear Mr. Shaub:

On behalf of the United States Environmental Protection Agency (EPA), I am writing to formally request a certificate of divestiture (CD) on behalf of Thomas Powers, an Administratively Determined employee. Mr. Powers is the Senior Policy Advisor to the Assistant Administrator in EPA's Office of Air and Radiation. He will be involved in providing advice and expertise in the full range of clean air issues, including climate change and potential new legislation. The EPA Ethics Office has directed the employee to divest his assets because refusal would disqualify him from matters so central and critical to the performance of his official duties that his ability to perform the duties of his position would be materially impaired.

Enclosed in this request are the following documents:

- 1) A request for a certificate of divestiture;
- 2) The employee's request for a certificate of divestiture; and
- 3) The employee's public financial disclosure form.

If you have any further questions regarding this request, please feel free to contact Justina Fugh at (202) 564-1786 or by email at fugh.justina@epa.gov.

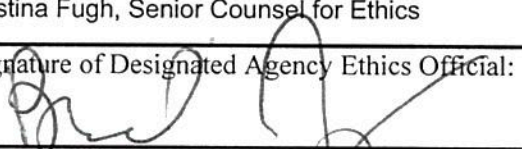
Sincerely,

A handwritten signature in black ink, appearing to read "B. Mallory", is written over the typed name "Brenda Mallory". The signature is fluid and cursive.

Brenda Mallory
Principal Deputy General Counsel and
Designated Agency Ethics Official

Enclosures

REQUEST FOR A CERTIFICATE OF DIVESTITURE
(to be completed by the agency, not by the requesting employee)



requesting employee and position title: Thomas Powers, Senior Advisor to the Assistant Administrator for Air and Radiation	employing agency and component: US Environmental Protection Agency, Office of Air and Radiation	
agency point of contact: Justina Fugh, Senior Counsel for Ethics	telephone number for agency point of contact: (202) 564-1786	
signature of Designated Agency Ethics Official: 		date: 1/2/14

For complete instructions on requesting a Certificate of Divestiture, please review 5 C.F.R. part 2634, subpart J.

1. Provide the requested information about the property being divested and the owner(s) of that property. Indicate whether each property owner is one of the following: (a) a government employee; (b) a spouse, a minor child or a dependent child of a government employee; or (c) a trustee of a trust for the benefit of an eligible person. For stock, provide the number of shares of stock owned. For a partnership, provide the percentage of the partnership owned.

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
McDonald's Corp. Play Toys, LP	57 shares 12.24% interest	John A. Jones	self
General Electric, Co.	251 shares	John A. Jones (joint) Mary B. Jones	self spouse
The Home Depot, Inc.	165 shares	Mary B. Jones	spouse
Merck & Co., Inc.	33 shares	William C. Smith	trustee
Coca-Cola, Co.	55 shares	John A. Jones (as custodian) Robert D. Jones	self dependent child

b6
 xerphent
 FOIA
 xerphent 6

description of the property	quantity or percentage owned	owner(s) of the property	relationship to the employee
General Electric	900 shares		Spouse
PPL Corporation	627 shares		Spouse

If you need additional space to accommodate your responses please click here for a continuation page

2. Provide a brief description of the employee's position or provide a citation to a statute that establishes the duties of the position. (Please click here for a continuation page for response if needed.)

As Senior Policy Advisor to EPA's Assistant Administrator for Air and Radiation, the employee will advise senior leaders about programs and priorities for clean air. He will serve as a liaison between senior political officials and career employees as well as external parties. He will review and comment on policy, legislation and rules.

3. Provide a detailed explanation of the basis for your conclusion that divestiture is reasonably necessary to comply with Federal ethics rules (including an indication as to the date on which the requirement to divest first applied). **(Please click here for a continuation page for response if needed.)**

The employee joined EPA on 10/20/13. His responsibilities with respect to clean air will necessitate participation in particular matters that affect utilities and oil producers. He has been recused from participation on those matters since he joined EPA.

4. Indicate how the property was acquired (e.g., purchase prior to appointment, inheritance after appointment, gift prior to appointment, etc.). If various items of property were acquired in different ways, be specific about how the various items were acquired (e.g., "Except for the Microsoft stock, the employee purchased all of the property before beginning government service in July 2001. The employee's spouse inherited the Microsoft Stock earlier this month on September 3, 2007."). **(Please click here for a continuation page for response if needed.)**

All property purchased prior to employee enter into government service on 10/20/13.

5. Please address all items below:

a. Have you enclosed a written request from the employee that contains an unconditional statement that the property owner(s) will divest the property? No ☐ Yes ☒

b. Have you enclosed the employee's most recent financial disclosure report or the equivalent? No ☐ Yes ☒

c. Is any other financial interest of the employee "similar or related" to the property being divested? No ☒ Yes ☐

d. Is any of the property held in a tax-deferred retirement plan? *Indicate which property is held in the plan in your response to Item 6.* No ☒ Yes ☐

e. Was any of the property acquired through an employee benefit plan (e.g., stock options, restricted stock, etc.)? *Indicate which property was acquired in this manner and the type of employee benefit plan in your response to Item 6.* No ☒ Yes ☐

f. If any of the property is held in a trust, have you enclosed the trust agreement? N/A ☒ No ☐ Yes ☐
Indicate which property is held in a trust in your response to Item 6.

6. Provide any additional information that you would like OGE to consider when processing the request. (Use this space to address the timing of the request, if it is submitted after the deadline for divestiture.) **(Please click here for a continuation page for response if needed.)**

7. Print this document and submit the signed original with all enclosures to the following address:
Director, U.S. Office of Government Ethics, 1201 New York Avenue, NW, Suite 500, Washington, DC 20005-3917.

Print

Reset

Fugh, Justina

From: Powers, Tom
Sent: Friday, December 06, 2013 2:41 PM
To: Fugh, Justina
Subject: Certificate of Divestiture/capital gains deferral

Justina –

Following up on our phone conversation earlier this week, it turns out my wife would like to request a Certificate of Divestiture to defer capital gains on the sale of only her PPL and GE stock. Once she receives the CD determination she will sell portions of those holdings as described in the email I sent you earlier. She will also sell all the others that were proposed for sale in that email, but has decided not to seek a Certificate of Divestiture on those.

Please let me know if you need any further information on this. Thanks.

Tom



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

FEB 27 2014

Brenda J. Mallory
Principal Deputy General Counsel and Designated
Agency Ethics Official
Environmental Protection Agency
Washington, DC 20460

Dear Ms. Mallory:

201A
xemption 6
In response to your request of January 2, 2014, enclosed is Certificate of Divestiture OGE-2014-011 for [REDACTED] spouse of Thomas Powers, Senior Policy Advisor to the Assistant Administrator for Air and Radiation, Environmental Protection Agency. Please forward the original certificate to Mr. Powers. Also enclosed is a copy of the certificate for your files.

If there are any questions, you may contact Lorna Syme, Program Analyst, at 202-482-9277.

Sincerely,

A handwritten signature in cursive script, appearing to read "David J. Apol".

David J. Apol
General Counsel

Enclosures



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

CERTIFICATE OF DIVESTITURE

Certificate No. OGE-2014-011

FOIA
Exemption

ELIGIBLE PERSON:

[REDACTED]

DATE OF ISSUANCE:

[spouse of Thomas Powers]
Environmental Protection Agency


DIVESTITURE PROPERTY:

1479.336 shares, General Electric
627 shares, PPL Corporation
283.312 shares, DuPont

This Certificate of Divestiture is issued in accordance with section 1043 of the Internal Revenue Code of 1986 and 5 C.F.R. § 2634.1002 with respect to the specific property described above. I hereby determine that the divestiture of the described property is reasonably necessary to comply with 18 U.S.C. § 208, or other applicable Federal conflict of interest statutes, regulations, rules, or executive orders.

Note that section 1043 of the Internal Revenue Code and the rules of subpart J of 5 C.F.R. Part 2634 provide for nonrecognition of gain in the case of sales to comply with conflict of interest requirements. The rules of Subpart J relate to the issuance of Certificates of Divestiture and the permitted property into which a reinvestment must be made during the 60-day period beginning on the date of such a sale in order for nonrecognition to be permitted. Such reinvestments are called rollovers, and are limited to obligations of the United States and diversified investment funds as defined in 5 C.F.R. § 2634.1003. The substantive and procedural rules relating to the tax aspects of such sales and rollovers pursuant to the statutory scheme are subject to the jurisdiction of the Internal Revenue Service.

Eligible persons should seek the advice of their personal tax advisors for guidance as to the tax aspects of divestiture transactions and whether proposed acquisitions meet the requirements for permitted property. Internal Revenue Service regulations and other guidance should be consulted as to these matters. Internal Revenue Service requirements for reporting dispositions of property and making an election not to recognize gain under section 1043 (IRS Form 8824) must be followed by eligible persons wishing to make such an election.


David J. Apol
General Counsel

cc: DAEO, Environmental Protection Agency